

REMARKS

Claims 1-22 are pending in this application. By this Amendment, Applicants amend claims 1 and 12. Support for the amendment may be found at least in paragraph [0061] of Applicants' specification. Applicants also amend the Abstract. No new matter is added.

The Office Action rejects claims 1-22 under 35 U.S.C. §102(b) over U.S. Patent 6,679,050 to Takahashi et al. (hereinafter "Takahashi"). Applicants respectfully traverse the rejection.

Initially, Applicants note that Takahashi does not qualify as prior art under 35 U.S.C. §102(b). Thus, the rejection is improper. Furthermore, Takahashi does not disclose an exhaust emission control system that repeatedly "performs a temperature control process ... to raise a temperature of the emission control device when the air/fuel ratio of exhaust gas is leaner than the stoichiometric air/fuel ratio," as recited in amended claims 1 and 12.

Takahashi discloses an exhaust emission control device that is designed for a gasoline engine. Thus, the exhaust emission control device disclosed in Takahashi raises the temperature when the air/fuel ratio is stoichiometric (col. 16, line 56 - col. 18, line 4 and t_2 - t_3 of Fig. 19). Accordingly, Takahashi cannot reasonably be considered to disclose raising a temperature of the emission control device when the air/fuel ratio of exhaust gas is leaner than the stoichiometric air/fuel ratio, as recited in claims 1 and 12.


Applicants note that the temperature appears to be rising between t_0 and t_2 in Fig. 19 of Takahashi. However, this temperature rise is not caused by the controller 6, i.e., the emission control method, disclosed in Takahashi. The temperature rise between t_0 and t_2 in Fig. 19 of Takahashi is caused by normal operation of the engine 1 (col. 16, line 65 - col. 17, line 3). Furthermore, the temperature rise between t_0 and t_2 in Fig. 19 of Takahashi is not repeated, as recited in claims 1 and 12.

Because Takahashi does not disclose exhaust emission control system that repeatedly performs "a temperature control process ... to raise a temperature of the emission control device when the air/fuel ratio of exhaust gas is leaner than the stoichiometric air/fuel ratio," claims 1 and 12 are patentable over Takahashi. Further, Applicants respectfully submit that claims 2-11 and 13-21 are patentable for at least the reasons that claims 1 and 12 are patentable, as well as for the additional features they recite.

In view of at least the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of claims 1-21.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:JOC/tea

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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